

## United States District Court

Western District of Texas

Pecos Division

United States  
v.  
Thomas Arthur

No. P-19-CR-774-DC

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Defendant's Motion in Limine

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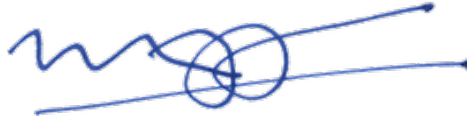
## Judge Counts:

Mr. Arthur moves this Court for an order that the Government provide, before trial, a summary of the evidence that it intends to offer that is duplicative of the facts conclusively proven by the parties' *Stipulation*.

Additionally, Mr. Arthur respectfully moves this Court for an order preventing the government from introducing the following evidence or making the following arguments at trial without first approaching the bench and obtaining, outside the presence of the jury, a ruling on the admissibility of such evidence or argument:

1. Argument or evidence that the works in question, or similar works, might cause abuse against children;
2. Opinion evidence that the works in question satisfy any element of the *Miller* test for obscenity, that is:
  - a. that the work appeals predominantly to prurient interest;
  - b. that the work depicts or describes sexual conduct in a patently offensive way; or
  - c. that the material, taken as a whole, lacks serious literary, artistic, political, or scientific value;
3. Evidence of any other crime, wrong, or act; and
4. Any testimony by Mr. Arthur's wife, Sandra Arthur.

Respectfully Submitted,



**Mark Bennett**

Attorney in Charge

TBN 00792970

**Bennett & Bennett**

917 Franklin Street, Fourth Floor

Houston, Texas 77002

713.224.1747

mb@ivi3.com

**Lane A. Haygood**

Texas State Bar Number:

24066670

**Haygood Law Firm**

522 N. Grant Ave.

Odessa, Texas 79761

Telephone: 432. 337.8514

Fax: .432.225.1062

lane@haygoodlawfirm.com

Attorneys for the Defendant,

Thomas Alan Arthur

**CERTIFICATE OF CONFERENCE AND SERVICE**

A copy of this document will be delivered to the attorneys for the Government by the efile system when it is filed with this Court. The

undersigned shared a draft with those attorneys and requested that they signal whether they will agree to any part of it. They will not.



Mark Bennett